

CC Docket No. 94-102 – January 2004 E911 Interim Report

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Date: January 15, 2004

To: Marlene H. Dortch, Secretary
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By Electronic Submission:

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**TIER III CARRIER INTERIM REPORT
AS OF JANUARY, 2004
CC Docket No. 94-102**

Commnet of Arizona, L.L.C. ("Commnet-AZ") hereby submits its E911 Interim Report, pursuant to *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Phase II Compliance Deadlines for Non-Nationwide CMRS Carriers*, CC Docket No. 94-102, FCC 02-210, released July 26, 2002 (*Non-Nationwide Carrier E911 Order*), *Public Notice*, DA 03-2113, released June 30, 2003, and *Order to Stay*, FCC 03-241, released October 10, 2003.

Carrier Identifying Information:

Carrier Name: Commnet of Arizona, L.L.C. – FRN 0009-2912-20

E911 Compliance Officer: John D. Champagne
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E911 Implementation Information:

The Commission consented to the assignment to Commnet-AZ of Commnet Wireless, Inc.'s cellular system, *see* FCC File No. 0001380870, and the assignment was consummated in early September 2003. As a result, Commnet Wireless, Inc., has exited the telecommunications industry. Commnet-AZ is operating as a "carriers' carrier". Thus, Commnet-AZ has no subscribers and will not have any subscribers. Based on this premise, Commnet-AZ hereby reports as follows:

- ☐ Commnet-AZ has received one Phase I request from the PSAP for Pima County, AZ. Commnet-AZ has not received any other Phase I requests from any other PSAPs in its market. Neither Pima County nor any other PSAP has requested Phase II from Commnet-AZ. Commnet-AZ retained the services of Intrado, Inc., as a consultant to assist it in contacting and working with the Pima County PSAP and any other PSAP in its markets that may request Phase I E911. Intrado is one of the most respected names in the E911 industry. Most of its personnel have over twenty years of experience working for PSAPs or in the PSAP field. Commnet-AZ and Intrado have been in continuous communications with the Pima County PSAP, in an effort to implement Phase I as expeditiously as possible.

Commnet-AZ has obtained and installed all of the equipment and software necessary to meet the PSAP's Phase I request, and is currently working with Qwest, the monopoly local exchange carrier ("LEC"), to obtain a landline connecting the PSAP to the switch in Yuma, AZ. Commnet-AZ's system operates in rural areas, where it can take a LEC as long as 12 or even 18 months to install a new landline. Commnet-AZ is still waiting for the installation of the landline connection to the requesting PSAP, and thus the PSAP's request has been outstanding longer than six-months. Commnet-AZ anticipates that installation of the landline

to be completed in the very near future, but this installation remains in the sole control of Qwest. The Pima County PSAP is aware of the situation and is satisfied with Commnet-AZ's performance, based on Commnet-AZ having done everything within its power.

Commnet-AZ has been working closely with the Pima County PSAP to get all of the proper forms filed with the appropriate state and local government agencies and to execute a contract with the Pima County PSAP. Pima County has a cost recovery program, and Commnet-AZ has prepared and submitted a statement of implementation fees and recurring costs to the Pima County government, which have been approved for cost recovery. Thus, Commnet-AZ is expecting to receive some cost recovery. Notably, because Commnet-AZ has no subscribers, Commnet-AZ does not have the means to fund Phase I implementation and recurring costs via pass-throughs to subscribers.

- ☐ Commnet-AZ elected a handset-based solution. Commnet-AZ is using analog and TDMA technology, and is considering migration to GSM technology.
- ☐ Commnet-AZ has installed all of the necessary switch hardware and software for its Phase I E911 deployment. Commnet-AZ still anticipates a significant problem with its Phase II E911 deployment. There is currently no Phase II-compliant handset-based solution available for either TDMA or GSM, and it appears that one will not become available any time in the near future. Moreover, Commnet-AZ is unable to switch to a network-based solution, because it is technically impossible. The only Phase II-compliant network-based solutions available are based on either triangulation techniques, which can work only when the network is receiving location information on the involved mobile unit from three different cell sites, or angle of arrival techniques ("AOA"), which can work only when the network is receiving location information from at least two different cell sites.

Phase II E911 is not technically feasible in either Pima County or in Commnet-AZ's market as a whole. Commnet-AZ operates only in remote, rural areas where the cell sites are spread far apart and there is little overlap between two cells, and no overlap among three cells. No portion of Commnet-AZ's service area is susceptible to triangulation techniques. A small portion of Pima County and the service area overall may be susceptible to AOA techniques, but even if implemented, Commnet-AZ would never reach a 95% accuracy level on a system-wide basis, as prescribed by §20.18 of the Commission's rules.

- ☐ Commnet-AZ's predecessor obtained ALI-capable handsets from Airbiquity prior to the October 1, 2002 deadline, such that they were available if requested. Commnet-AZ's predecessor did not encounter any problems in obtaining or negotiating agreements to obtain these ALI-capable handsets. Commnet-AZ's predecessor added no new subscribers after October 1, 2002, and Commnet-AZ never had any subscribers. As previously discussed, Commnet-AZ is operating entirely as a "carriers' carrier". Commnet-AZ serves only the customers of other carriers. Commnet-AZ will not have any future subscribers.
- ☐ Commnet-AZ does not anticipate that full Phase II service will ever be available in its network, for the reasons discussed above pertaining to the permanent absence of any available Phase II TDMA handsets and the impossibility of employing a network-based

solution, both of which are beyond Commnet-AZ's control. Even if Commnet-AZ were to migrate to GSM technology, there is currently no GSM handset-based technology available, and vendor predictions of future development are unreliable. Commnet-AZ has a request pending with the Commission for a permanent waiver of the Phase II requirements.

- ☐ With regard to meeting the ultimate implementation date of December 31, 2005, see above.